Applicant : Carlos Silva et al.
Serial No. : 09/475,391
Filed   : December 30, 1999
Page   : 11

Attorney's Docket No.: 06975-048001

REMARKS

Claims 1, 2, 4-13, and 15-18, and 26-35 are pending in the application, with claims 1, 10, 16, 17, and 18 being independent. Claims 10, 13, 15, and 18 have been amended, claims 3, 14, and 19-25 have been cancelled, and new dependent claims 26-35 have been added by this response. Reconsideration and allowance of Applicant's claims are respectfully requested in light of the following remarks.

The office action indicates that claims 1-18 are pending but does not make to reference to originally filed claims 19-25. Applicant presumes that these claims were pending but have been withdrawn from consideration in response the restriction requirement and Application's election of claims 1-18. In any event, Applicant has cancelled claims 19-25 in response to the restriction requirement.

The drawings were objected to as failing to comply with 37 1.84(p)(5) because they include reference signs not found in the specification, and because the specification includes reference signs not found in the drawings. In response, the specification has been amended to include the reference signs found in the drawings. No new matter has been added. In addition, new Fig. 2 is attached to this response to delete any reference numerals that do appear in the specification; Figs. 3 and 4 have been amended to include the language "Background Art" as suggested in the action. Therefore, it is respectfully requested that the objection to the drawings be withdrawn.

Claims 1, 4, 5, 7, 10, 12, 13, and 15-18 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,694,163 to Harrison ("Harrison"). This rejection is respectfully traversed with respect to claims 1, 4, 5, 7, 16, and 17, and has been obviated with respect to claims 10, 12, 13, 15, and 18 by the amendment of claims 10 and 18.

Applicant's claim 1 recites, among other things, "determining television programming viewed by a network user at a networked device; and assigning the network user to a chat room corresponding to the determined television programming." It is respectfully submitted that Harrison does not describe or suggest these elements of Applicant's claim 1.

Harrison describes inserting chat data into a television program signal in the vertical blanking interval to provide an encoded TV signal that is broadcast on an assigned TV channel.

The encoded television signal is received and read by software of the consumer's computer. The signal is formatted for display on a computer screen to simulate the appearance that the consumer is a participant in the chat. Harrison also describes that a consumer may participate in a chat by making a connection to an online service provider using a conventional telephone back channel connection. However, Harrison does not describe determining television programming viewed by a network user at a networked device. The signal broadcast by Harrison is encoded with the chat data (e.g., much like closed captioning data is encoded with a television signal) regardless of what television programming is viewed (if any) by the network user. In other words, the chat data is associated with whatever television programming is transmitted on the respective channel. No determination is made of what television programming the network user is viewing.

Harrison also does not describe assigning the network user to a chat room "corresponding to the determined television programming," as recited in Applicant's claim 1. As provided above, there is not determination of the viewed television programming. In addition, the consumer is not initially assigned to a chat room. The chat data is broadcast with corresponding television programming; however, the consumer is not a participant, and therefore, is not assigned to a chat room. In marked contrast, the user must log in to an on-line service provider with a modem using a "back-channel" and select a chat room in a conventional manner.

The office action indicates that Harrison describes these features (e.g., at col. 2, ll. 27-30); however, Applicant can find no such description. In this background section referred to in the action, Harrison describes providing online information services to subscribers to enable viewing a chat at a computer "without actually being an on-line participant in the chat." If the person is not a participant then they are not assigned to a chat room; simply viewing chat room data does not mean that a person is a chat room participant (as indicated by Harrison, col. 2, ll. 26 and 27) and does not indicate that a user is assigned to a chat room (e.g., placing a user in a chat room with other identified users based on a request, see, for example, p. 13, ll. 1-18). In this section, Harrison also describes that the chat may be associated with a particular channel. However, there is no description or suggestion of either determining television programming viewed by a network user at a networked device, and, therefore, no description or suggestion of

Applicant : Carlos Silva et al.
Serial No. : 09/475,391
Filed : December 30, 1999
Page : 13

Attorney's Docket No.: 06975-048001

assigning the network user to a chat room corresponding to the determined television programming.

Claims 4, 5, and 7 depend from claim 1 and are believed to be allowable for at least the reasons given for claim 1.

Applicant's claim 10 recites, among other things, "providing a user interface that displays television programming; transmitting identification of the television programming displayed on the user interface to a network server; receiving an indication of a chat room assigned based on the transmitted identification of television programming displayed on the user interface; and presenting the assigned chat room on the user interface that includes messages received by the network server from other users viewing the television programming." It is respectfully submitted that Harrison does not describe or suggest these elements of Applicant's claim 10.

Harrison describes combining chat room data with a television signal using the VBI to provide an encoded television signal; however, Harrison does not describe or suggest receiving an indication of a chat room assigned based on the transmitted identification of television programming displayed on the user interface. As pointed out with regard to claim 1, Harrison does not describe determining television programming viewed by a network user or assigning a network user to a chat room based on the determined television programming.

Claims 12, 13, and 15 depend from claim 1 and are believed to be allowable for at least the reasons given for claim 10.

Applicant's claim 16 recites, among other things, "server software resident on a network server, the software including: instructions for distributing messages received from chat room members to other chat room members; instructions for providing chat rooms corresponding to different television programming; and instructions for determining the television programming tuned to by a networked device that receives television programming; and assigning a network user using the networked device to a chat room based on the determined television programming." It is respectfully submitted that Harrison does not describe or suggest these elements of Applicant's claim 16.

As pointed out above with regard to claim 1, Harrison does not describe or suggest server software that determines TV programming view by a user and assigns the user to a chat room based on the determined TV programming.

Applicant : Carlos Silva et al.
Serial No. : 09/475,391
Filed : December 30, 1999
Page : 14

Attorney's Docket No.: 06975-048001

Applicant's claim 17 recites, among other things, a computer program to "determine television programming viewed by a network user at a networked device; and assign the network user to a chat room corresponding to the determined television programming." It is respectfully submitted that Harrison does not describe or suggest these elements of Applicant's claim 17.

As pointed out above with regard to claim 1, Harrison does not describe or suggest a computer program that determines TV programming view by a user and assigns the user to a chat room based on the determined TV programming.

Applicant's claim 18 recites, among other things, a computer program to "provide a user interface that displays television programming; transmit identification of the television programming to a network server; receive an indication of a chat room assigned based on the transmitted identification of television programming displayed on the user interface; and present the assigned chat room that includes messages received by the network server from other users viewing the television programming." It is respectfully submitted that Harrison does not describe or suggest these elements of Applicant's claim 18.

As pointed out with regard to claim 10, Harrison does not describe or suggest receiving an indication of a chat room assigned based on the transmitted identification of television programming displayed on the user interface.

Claims 2, 6, and 11 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Harrison in view of U.S. Patent No. 5,828,839 to Moncreiff ("Moncreiff"). This rejection is respectfully traversed.

Claims 2, 6, and 11 depend from claim 1 and are believed to be allowable for at least the reasons given above for claim 1. In particular, Moncreiff does not remedy any of the deficiencies of Harrison that are noted above with respect to claim 1. As such, it is respectfully submitted that Harrison, alone or in combination, do not establish a *prima facie* case of obviousness with regard to claims 2, 6, and 11. Therefore, reconsideration and withdrawal of the rejection of these claims are respectfully requested.

Claims 3 and 14 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pepe in view of Harrison in view of U.S. Patent No. 6,081,830 to Schindler ("Schindler"). This rejection has been rendered moot by the cancellation of these claims.

Applicant : Carlos Silva et al.
Serial No. : 09/475,391
Filed : December 30, 1999
Page : 15

Attorney's Docket No.: 06975-048001

Claims 8 and 9 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Harrison in view U.S. Patent 6,425,012 to Travato et al. ("Travato"). This rejection is respectfully traversed.

Claims 8 and 9 depend from claim 1 and are believed to be allowable at least for the reasons given above for claims 1. In particular, Travato does not remedy any of the deficiencies of Harrison that are noted above with respect to claim 1. As such, it is respectfully submitted that Harrison and Travato, alone or in combination, do not establish a prima facie case of obviousness with regard to claims 8 and 9. Therefore, reconsideration and withdrawal of the rejection of these claims are respectfully requested.
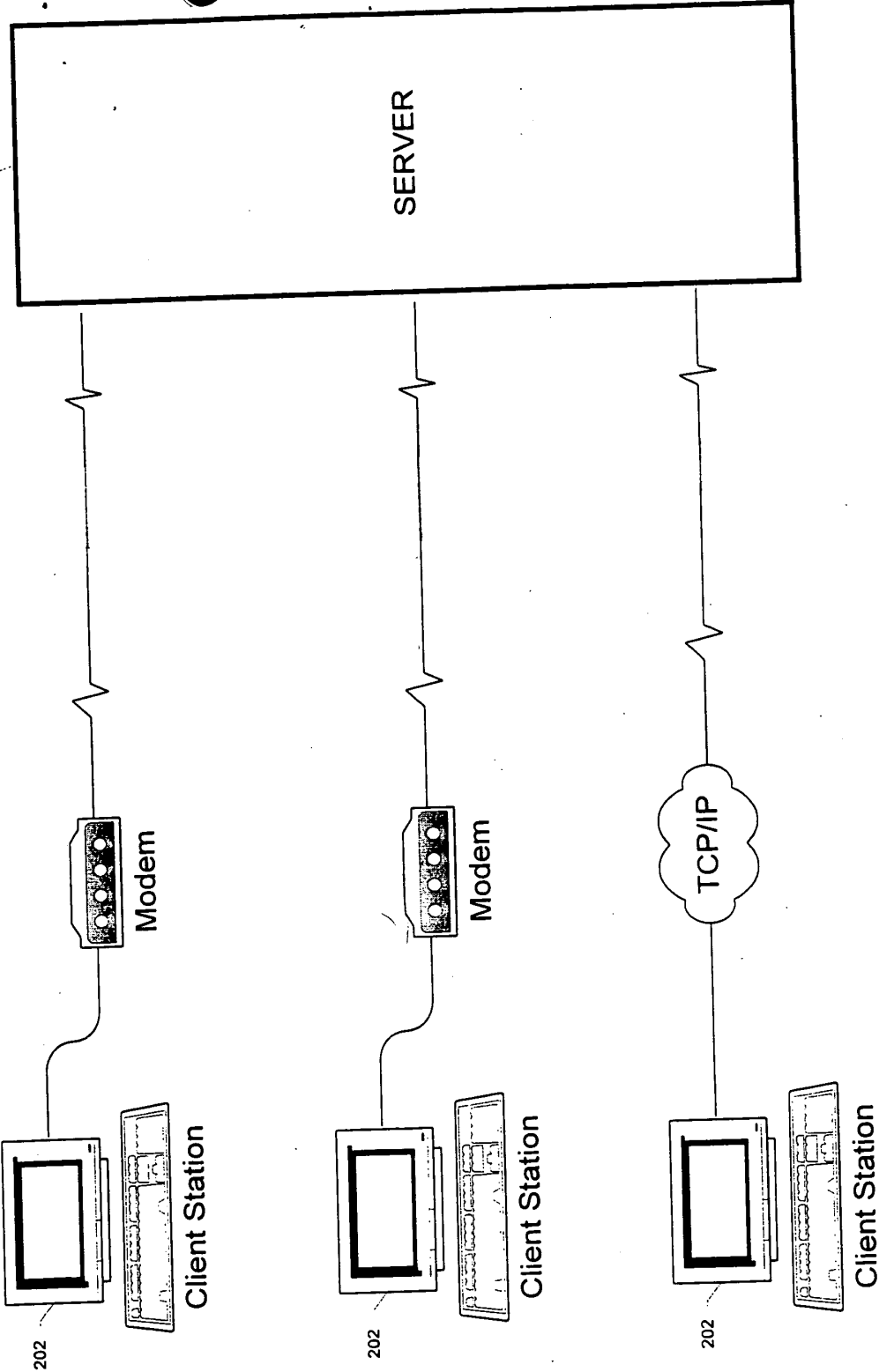
SERVER

200

Modem

Modem

TCP/IP

Client Station

Client Station

Client Station

202

202

202

Fig. 2
(PRIOR ART)

Fig. 3

BACKGROUND ART

SIO - Ship Operations and Marine Technical Support - Microsoft Internet Explorer provided by America ...

http://sio.ucsd.edu/supp_groups/shipsked/index.html

SHIP OPERATIONS
and Marine Technical Support
Scripps Institution of
Oceanography, UCSD

SHIP DESCRIPTIONS, PHOTOS, DECK PLANS, HANDBOOKS

R/V Roger Revelle   R/V Melville   R/P FLIP

R/V New Horizon   R/V Robert Gordon Sproul   Ship Handbooks

GENERAL INFORMATION

Shipboard Technical Support   Nimitz Marine Facility

SHIP SCHEDULING

Schedules   Forms   Key Contacts   General Info/News

[Revelle] [Melville] [New Horizon] [Sproul] [FLIP] [Ship Handbooks]

[STS] [Marine Facility]

[Schedules] [Forms] [Contacts] [General Info/News]

Other important ship-related links: [OCEANIC] [UNOLS]

Return to
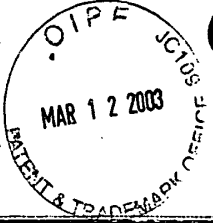S C R I P P S
INSTITUTION OF OCEANOGRAPHY

300
302
304
304
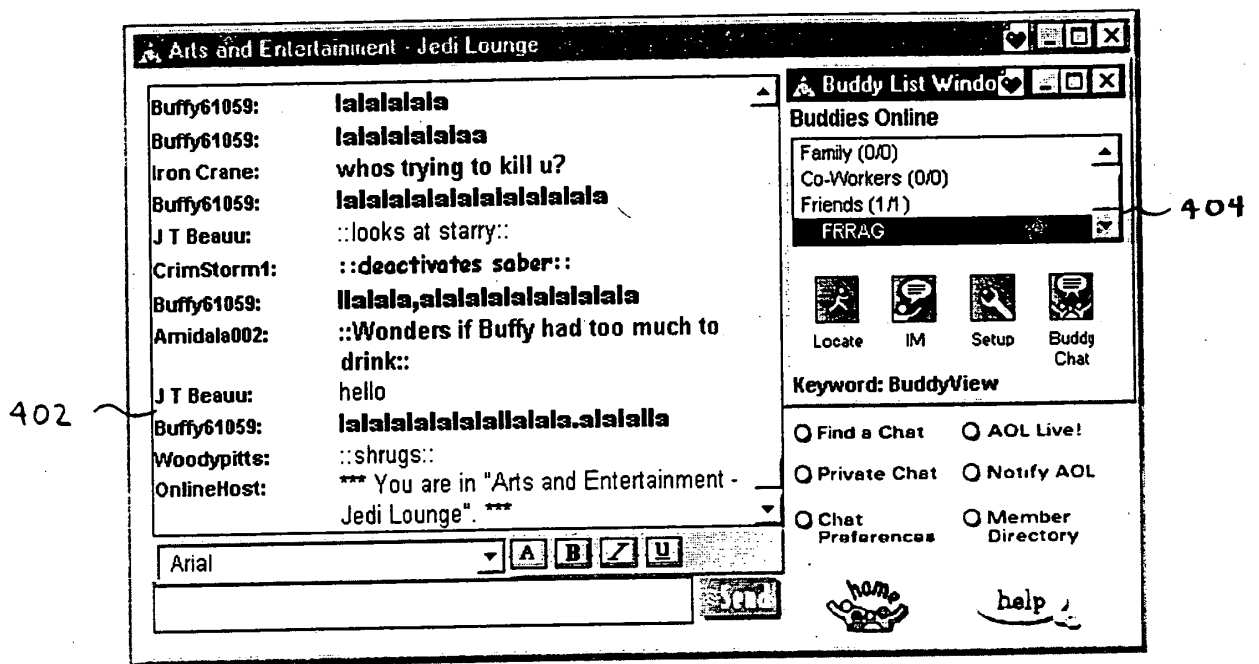304
306

Arts and Entertainment - Jedi Lounge		Buddy List Window

Buddy List Window screenshot — Arts and Entertainment - Jedi Lounge

Buffy61059:   lalalalala
Buffy61059:   lalalalalalaa
Iron Crane: whos trying to kill u?
Buffy61059:   lalalalalalalalalalalala
J T Beauu: ::looks at starry::
CrimStorm1:   ::deactivates saber::
Buffy61059:   llalala,alalalalalalalalala
Amidala002:   ::Wonders if Buffy had too much to drink::
J T Beauu: hello
Buffy61059:   lalalalalalalallalala.alalalla
Woodypitts: ::shrugs::
OnlineHost: *** You are in "Arts and Entertainment - Jedi Lounge". ***

Arial   A B I U

Buddies Online

Family (0/0)
Co-Workers (0/0)
Friends (1/1)
FRRAG

Locate   IM   Setup   Buddy Chat

Keyword: BuddyView

O Find a Chat   O AOL Live!
O Private Chat   O Notify AOL
O Chat   O Member
  Preferences   Directory

home   help

402

404

FIG. 4

BACKGROUND ART